

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

DAVID JOHNSON, individual and on behalf
of similarly situated individuals,

Plaintiff,

v.

UNITED AIR LINES, INC., a Delaware
corporation, and UNITED CONTINENTAL
HOLDINGS, INC., a Delaware corporation,

Defendants.

Case No. 1:17-cv-08858

Honorable Virginia M. Kendall

Honorable Magistrate Jeffrey Cole

**UNOPPOSED MOTION TO EXTEND THE TIME FOR DEFENDANTS TO FILE ANY
PETITION FOR ATTORNEYS' FEES**

Defendants UNITED AIR LINES, INC. ("United Air Lines") and UNITED
CONTINENTAL HOLDINGS, INC. ("United Continental Holdings") (collectively
"Defendants" or "United"), by and through their attorneys, and pursuant to Federal Rule of Civil
Procedure 6 and Local Rule 54.3, move for an extension of time to file any petition for attorneys'
fees until 14 days after the Court rules on the parties' pending Rule 60 motions. Plaintiff does
not oppose this motion. In support of their motion, Defendants state:

1. On July 31, 2018, the Court granted Defendants' Motion to Dismiss And, In The
Alternative, Motion to Strike Class Allegations, and entered final judgment in the case. (ECF
No. 38.)

2. Defendants have followed Local Rule 54.3, in preparation for potentially filing a
petition for fees.

3. Per Local Rule 54.3, Defendants' motion for attorneys' fees is currently due 91 days after entry of judgment, or by October 30. There is no provision in Local Rule 54.3 that appears to stay the Rule if a Rule 60 motion is filed.

4. On August 26, Plaintiff filed his Rule 60 Motion for Relief from Judgment. (ECF No. 39.)

5. Following the hearing on Plaintiff's Motion, Defendants filed a Rule 60 Motion for Correction of the Court's Order Regarding Article III Standing and their Opposition to Plaintiff's Motion for Relief from Judgment. (ECF Nos. 44-45.)

6. Both motions are fully briefed and awaiting the Court's decision.

7. Because whether Defendants may seek fees is dependent upon the Court's ruling, Defendants request that the Court extend the deadline for filing any petition until 14 days after the Court rules, and subject to the Court ruling in whole or in part for Defendants.

8. On October 25, Defendants' counsel contacted Plaintiff's counsel regarding this motion. Plaintiff's counsel indicated on October 26 that Plaintiff does not oppose the motion.

WHEREFORE, Defendants respectfully request that the Court enter an order extending their time to file a motion for attorneys' fees pursuant to Local Rule 54.3 until 14 days after the Court rules on the parties' pending Rule 60 motions, subject to the Court ruling in whole or in part in favor of Defendants.

DATED: October 26, 2018

Respectfully submitted,

UNITED AIR LINES, INC. and UNITED
CONTINENTAL HOLDINGS, INC.

By /s/ Ada W. Dolph

One of The Attorneys For Defendants

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CERTIFICATE OF SERVICE

I, Ada W. Dolph, an attorney, do hereby certify that on this 26th day of October, 2018, I served a true and correct copy of the foregoing **UNOPPOSED MOTION TO EXTEND THE TIME FOR DEFENDANTS TO FILE ANY PETITION** for attorneys' fees with the Clerk of Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record, including:

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/s/ Ada W. Dolph_____